13 January 2006

Original: English

Preparatory Committee for the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

New York, 9-20 January 2006

Working paper submitted by Canada

Proposal for an intersessional programme of work to enhance implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Summary

Effective implementation of the Programme of Action requires greater engagement by the international community. To this end, it is proposed that the Review Conference adopt an intersessional programme of work that would bring the international community together informally on a semi-annual basis to develop ideas and recommendations for consideration during formal meetings of States.

Work could be undertaken within thematic standing committees that would address clusters of substantive issues related to the question of small arms and light weapons. In addition, a contact group on communications and resource mobilization should be established to develop strategies to increase the popular and political will to address such issues and raise the resources required to fully implement the Programme of Action.

06-20809 (E)

Background

1. The proliferation and misuse of small arms and light weapons represent a major threat to peace and security. Small arms alone are instrumental in the deaths of approximately 500,000 people annually. Many, possibly millions more, fall victim to their indirect impact on sustainable development.

2. In the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted in 2001, States expressed their determination to reduce the human suffering caused by the illicit trade in small arms and light weapons in all its aspects and recognized that the international community had a duty to deal with the issue.

3. Among other things, the Programme of Action mandates meetings of States every two years to assess its implementation and a review conference in 2006. Several States, United Nations agencies, international organizations and non-governmental organizations are of the view that the current regime of meetings and other cooperative arrangements does not afford the small arms and light weapons issue the attention and dedicated resources that it warrants and that indeed are essential in order to fulfil the promise of the Programme of Action.

Proposal

4. It is proposed that the Review Conference adopt an intersessional programme of work that would bring the international community together informally on a semi-annual basis to develop ideas and recommendations for consideration during formal meetings of States.

5. Such an intersessional programme of work could serve to:

- Provide more frequent occasions to assess the progress of implementation of the Programme of Action
- Promote regular exchange of information, including lessons learned, thus enhancing the capacity of States to implement the Programme of Action
- Identify priorities for implementation of the Programme of Action
- Facilitate dedicated activity and discussions on the thematic areas contained in the Programme of Action
- Enable States to develop public awareness and resource mobilization strategies that will increase appreciation of the importance of the issue and generate the financial and technical resources required to fully implement the Programme of Action
- Provide additional opportunities to engage experts and representatives of civil society, including non-governmental organizations and parliamentarians
- Inform the proceedings and increase the effectiveness of formal meetings of States

Approach

6. An intersessional programme of work would be complementary to existing arrangements and would be undertaken in a manner consistent with the principles of inclusivity, partnership, openness, support and practical cooperation.

Participation

7. All interested Governments, international organizations and institutions and relevant non-governmental organizations and stakeholders would be invited to participate actively in intersessional meetings.

Semi-annual meetings

8. In order to sustain engagement by States on the implementation of the Programme of Action, Canada proposes that States meet twice a year. Meetings could be one or two weeks in duration. Many international bodies convene at least twice and sometimes three times a year. Given the importance and urgency of implementing the Programme of Action, meeting semi-annually is both feasible and desirable.

The programme

9. Intersessional meetings could focus on two primary elements: (a) reports by States on progress achieved in implementing the Programme of Action; and (b) the activities of standing committees on priority thematic issues.

10. Thematic areas could be addressed by standing committees, which would operate informally with procedural flexibility, albeit with sufficient structure to ensure effective proceedings. Each committee would carry out substantive work on relevant topics in order of priority.

11. A communications and resource mobilization contact group could assist in the development of strategies to generate the popular and political will and the financial and technical resources needed to put our ideas and our words into action.

17 January 2006

Original: English

Preparatory Committee for the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
New York, 9-20 January 2006

Working paper submitted by Argentina

Recommendations on issues under cluster I, Human/ humanitarian, socio-economic and other dimensions

Identification of additional measures to strengthen and/or clarify the commitments already assumed in the Programme of Action (e.g., the adoption of new documents on best practices for inclusion in the Programme of Action at the upcoming biennial meetings or the second Review Conference)

1. Although the ideal situation would be the adoption of annexes to be incorporated into the Programme of Action during the first Review Conference, realistically speaking, at least a commitment could be made to launch a process for the preparation of documents that could be incorporated into the upcoming biennial meetings of States to consider the implementation of the Programme of Action.

2. These new documents would not necessarily expressly require adherence by all Member States since they could be used as action guides, as in the case of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials with Inter-American Drug Abuse Control Commission model regulations.

3. The following issues were identified:

(a) Best practices and lessons learned for the establishment of national commissions (to guarantee an integral view of the problem through the involvement of non-traditional agencies, such as the Ministries of Education, Health, Human Rights, etc.);

(b) Best practices and lessons learned for the development of awareness-raising and disarmament campaigns in peace scenarios (sect. II, para. 23) as well as in questions related to the programmes of demobilization and reinsertion of ex-combatants in post-conflict scenarios (ibid., paras. 20-22);

(c) The launching of a permanent process of coordination with the Security Council and the sanctions committees with the aim of achieving better implementation of questions related to arms embargoes (ibid., paras. 15 and 32) and with the Counter-Terrorism Committee on themes relating to the fight against terrorism in general (Preamble, paras. 5 and 7, and sect. III, para. 15);

(d) Best practices and lessons learned for the establishment of legislation and internal procedures to ensure that the problem of small arms is addressed by taking into account its implications in matters of socio-economic development for States and their citizens (Preamble, paras. 2, 4, 5, 15 and 17);

(e) Suggestions to achieve greater coordination with the Third Committee of the General Assembly in the Programme of Action process and greater exchange on the questions addressed by the Committee with the aim of taking a holistic view of the problem while taking into account the particularities of the questions relating to human rights and international humanitarian law (ibid., paras. 2, 4, 5, 15 and 17).

17 January 2006

Original: English

Preparatory Committee for the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

New York, 9-20 January 2006

Working paper submitted by Argentina

Recommendations on issues under cluster II, Norms, regulations and administrative procedures

Identification of additional measures to strengthen and/or clarify the commitments already assumed in the Programme of Action (e.g., the adoption of new documents on best practices for inclusion in the Programme of Action at the upcoming biennial meetings or the second Review Conference)

1. Although the ideal situation would be the adoption of annexes to be incorporated into the Programme of Action during the first Review Conference, realistically speaking, at least a commitment could be made to launch a process for the preparation of documents that could be incorporated into the upcoming biennial meetings of the States to consider the implementation of the Programme of Action.

2. These new documents would not necessarily expressly require adherence by all Member States since they could be used as action guides, as in the case of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials with Inter-American Drug Abuse Control Commission model regulations.

3. The following issues were identified:

(a) Best practices for regulating production (sect. II, para. 2);

(b) Best practices for regulating control of transfers (granting of licences, types of licences, standard model of end-user certificates or exchange of information on used certificates, end-user verification, common customs control standards,

cooperation between States for information exchange and controls on transit and trans-shipment, among other things) (ibid., paras. 2 and 11);

(c) Common global principles applicable to the assessment of export applications that reflect their compatibility with relevant international law, taking into account the risks of diverting them to an illicit market (ibid., para. 11);

(d) Best practices for regulating control over intermediation (sect. III, para. 3), taking into account the conclusions of the Group of Government Experts summoned to study the question;

(e) Common formats for information exchange on production, illicit trade and criminal groups (sect. II, paras. 6 and 37);

(f) Best practices on the question of munitions in accordance with global (Protocol III) and regional provisions addressing the question (Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials) and taking into account the recommendation of the Chairman of the Open-Ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (para. 27), as well as the consolidation of recommendations contained in the report of the Secretary-General on destruction methods (S/2000/1092, para. 19).

Agree on the identification of topics absent in the Programme of Action and make a decision on the launch of a process towards their inclusion in the framework of future meetings (e.g., the second Review Conference)

(a) Prohibition on authorizing transfers for non-State actors;

(b) Regulation of civil possession of firearms.

17 January 2006

Original: English

Preparatory Committee for the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

New York, 9-20 January 2006

Working paper submitted by Argentina

Recommendations on issues under cluster III, Excessive accumulation, misuse and uncontrolled spread

Identification of additional measures to strengthen and/or clarify the commitments already assumed in the Programme of Action (e.g., the adoption of new documents on best practices for inclusion in the Programme of Action at the upcoming biennial meetings or the second Review Conference)

1. Although the ideal situation would be the adoption of annexes to be incorporated into the Programme of Action during the first Review Conference, realistically speaking, at least a commitment could be made to launch a process for the preparation of documents that could be incorporated into the upcoming biennial meetings of the States to consider the implementation of the Programme of Action.

2. These new documents would not necessarily expressly require adherence by all Member States since they could be used as action guides, as in the case of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials with Inter-American Drug Abuse Control Commission model regulations.

3. The following issues were identified:

(a) Best practices and lessons learned for the safety of arsenals, destruction of stocks and collection of arms (sect. II, para. 19);

(b) Best practices and lessons learned for the development of awareness-raising and disarmament campaigns in peace scenarios (ibid., para. 23) as well as in

questions related to the programmes of demobilization and reinsertion of ex-combatants in post-conflict scenarios (ibid., paras. 20-22).

Agree on the identification of topics absent in the Programme of Action and make a decision on the launch of a process towards their inclusion in the framework of future meetings (e.g., the second Review Conference)

- Questions related to the demand for small arms and light weapons.

17 January 2006

Original: English

Preparatory Committee for the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
New York, 9-20 January 2006

Working paper submitted by Argentina

Recommendations on issues under cluster IV, International cooperation and assistance

Objective 1: To establish a permanent assistance and cooperation mechanism based on donations from donor countries and non-governmental organizations for areas identified as being poorly implemented (implementation of sec.. III, paras. 3-6)

1. Bearing in mind the comments made by a majority of countries in the framework of the biennial meetings and in several national reports, international and regional assistance may still be considered to be deficient and to not be adequately accessible.

2. Consequently, it is thought necessary to adopt a permanent assistance and cooperation mechanism established on the basis of donations from countries, international organizations and non-governmental organizations through a pool of pre-established questions. The questions would take into account the reports of the two biennial meetings which assessed the areas contained in the Programme of Action that require strengthening.

3. We are aware that there are countries with a special interest in strengthening specific areas of the Programme of Action. Therefore, an opportunity to find a common space for facilitation and meeting would be offered to donor countries in a position to do so and to the countries that need assistance.

4. The financial implications of the establishment of these mechanisms for the United Nations would not seem to be important inasmuch as they would become a vehicle for facilitation. The available human resources in the Conventional Arms Branch of the Department for Disarmament Affairs could be sufficient to carry

forward the enterprise. The existence of the Coordinating Action on Small Arms should not be forgotten either.

5. At first, assistance and cooperation will be considered necessary in the following spheres:

(a) The establishment of measures for effective control of production and transfers (sect. II, paras. 2 and 11-13), including the question of intermediation (ibid., para. 14), and assistance for the development of criminal legislation (ibid., paras. 3 and 14);

(b) The establishment of units of national coordination (ibid., para. 4) guaranteeing the holistic view proposed by the Programme of Action (Preamble, paras. 2, 4, 5, 15 and 17) and the development of national plans of action;

(c) The establishment of appropriate intelligence controls (sect. II, para. 6) and facilitation for international coordination;

(d) The establishment of the measures agreed in the framework of the instrument on tracing and marking, as established in section II, paragraphs 7, 9 and 10;

(e) The destruction of arsenals and security measures for stockpiles (ibid., paras. 16-19);

(f) The establishment of campaigns on awareness-raising, disarmament, demobilization and reintegration of ex-combatants (ibid., paras. 20-22);

(g) The preparation of national reports and mechanisms of information exchange at the regional level (ibid., para. 23);

(h) A unit for coordination with the assistance mechanisms existing at the regional level.

6. The questions over which the permanent assistance mechanism is competent could be progressively broadened as they become included in or addressed by the Programme of Action.

Objective 2: Improvement of the mechanism for transparency and exchange of information between Member States

7. We consider it essential to improve the transparency and information exchange mechanism within the Programme of Action. So far, the only tools we have are the national reports submitted voluntarily by States to the Department for Disarmament Affairs. However, these national reports are not prepared according to similar criteria, despite the existence of a practical guide prepared by the United Nations Development Programme. It would also be advisable to have a document prepared by the Department for Disarmament Affairs analysing the content of the reports. That document should contain tables in which the measures adopted by Member States on each of the questions addressed by the Programme of Action are easily identifiable. This would act as a sort of incipient follow-up mechanism.

8. The Department for Disarmament Affairs should also have a database in which to publish the documents presented by Member States for the control of transfers, brokering activities and requirements for the marking and registration of weapons,

among other things, as established by the instrument on tracing and marking (A/60/88, annex, para. 31 (b)).

Objective 3: Identification of additional measures to strengthen and/or clarify the commitments already assumed in the Programme of Action (e.g., the adoption of new documents on best practices for inclusion in the Programme of Action at the upcoming biennial meetings or the second Review Conference)

9. Although the ideal situation would be the adoption of annexes to be incorporated into the Programme of Action during the first Review Conference, realistically speaking, at least a commitment could be made to launch a process for the preparation of documents that could be incorporated into the upcoming biennial meetings of the States to consider the implementation of the Programme of Action.

10. These new documents would not necessarily expressly require adherence by all Member States since they could be used as action guides, as in the case of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials with Inter-American Drug Abuse Control Commission model regulations.

11. The following issue was identified: the launching of a permanent process of coordination with the Security Council and the sanctions committees with the aim of achieving better implementation of questions related to arms embargoes (sect. II, paras. 15 and 32) and with the Counter-Terrorism Committee on themes relating to the fight against terrorism in general (Preamble, paras. 5 and 7, and sect. III, para. 15).

Objective 4: Agree on the identification of topics absent in the Programme of Action and make a decision on the launch of a process towards their inclusion in the framework of future meetings (e.g., the second Review Conference)

12. The following issues were identified:

(a) The establishment of a follow-up and assessment mechanism on national reports;

(b) The establishment of programmes of assistance to victims (which could be included in the future assistance mechanism described above).

17 January 2006

Original: English

Preparatory Committee for the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
New York, 9-20 January 2006

Working paper submitted by Argentina

Recommendations on issues under cluster V, communication

Identification of additional measures to strengthen and/or clarify the commitments already assumed in the Programme of Action (e.g., the adoption of new documents on best practices for inclusion in the Programme of Action at the upcoming biennial meetings or the second Review Conference)

1. Although the ideal situation would be the adoption of annexes to be incorporated into the Programme of Action during the first Review Conference, realistically speaking, at least a commitment could be made to launch a process for the preparation of documents that could be incorporated into the upcoming biennial meetings of the States to consider the implementation of the Programme of Action.

2. These new documents would not necessarily expressly require adherence by all Member States since they could be used as action guides, as in the case of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials with Inter-American Drug Abuse Control Commission model regulations.

3. The following issues were identified:

(a) Suggestions and lessons learned to improve the link between Governments and non-governmental organizations in the national, regional and global fields and their links with the United Nations (sect. I, para. 16, sect. II, paras. 20 and 40, sect. III, para. 2, and sect. IV, para. 2 (c));

(b) Best practices and lessons learned for greater information exchange with regional organizations.

06-21126 (E)